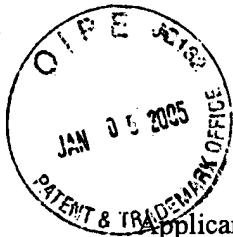


PATENT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
 Application No. : 09/811,094  
 Filed : March 14, 2001  
 Date of Allowance : October 5, 2004  
 For : PRODUCTION OF ADENINE NUCLEOTIDE  
 TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND  
 SCREENING ASSAYS THEREFOR

Examiner : Holly G. Schnizer  
 Art Unit : 1653  
 Docket No. : 660088.420D4  
 Date : January 4, 2005

Mail Stop Issue Fee  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

PETITION TO CORRECT INVENTORSHIP OF PATENT APPLICATION  
PURSUANT TO 37 CFR § 1.48 (a)

Commissioner for Patents:

Applicants hereby respectfully petition, pursuant to 37 CFR § 1.48(a), that the inventorship of the above-identified patent application be corrected to **add** the following inventor:

Amy K. Carroll

and to **delete** the following inventors:

Scott W. Miller, Tomas R. Szabo, Soumitra S. Ghosh, Walter H. Moos and  
Yazhong Pei.

The inventorship error occurred without deceptive intent on the part of the inventors.

Submitted herewith are:

- (1) Statements by Amy K. Carroll, Scott W. Miller, Tomas R. Szabo, Soumitra S. Ghosh, Walter H. Moos and Yazhong Pei regarding the inventorship error pursuant to 37 CFR § 1.48(a)(2);

01/10/2005 SHINASS2 00000045 09811094

04 FC:1464

130.00 OP

Patent Application No. 09/811,094  
Petition to Correct Inventorship

- (2) Declarations executed by Christen M. Anderson, Robert E. Davis, William Clevenger, Sandra Eileen Wiley and Amy K. Carroll pursuant to 37 CFR § 1.48(a)(3);
- (3) the requisite processing fee under 37 CFR § 1.17(i) of \$130;
- (4) Consent of Assignee to Correct Inventorship under 37 CFR § 1.48(a)(5);
- (5) Statement Under 37 CFR 3.73(b).

It is hereby acknowledged that the deleted inventors' invention is no longer being claimed in the above-identified application. The correct inventorship is as follows: Christen M. Anderson, Robert E. Davis, William Clevenger, Sandra Eileen Wiley and Amy K. Carroll.

Enclosed is the requisite fee of \$130. The Commissioner is hereby authorized to charge any additional filing fees or to credit any overpayment to Deposit Account No. 19-1090.

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC



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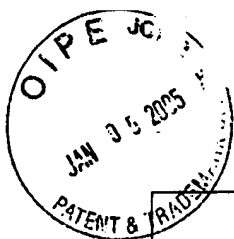
Mae Joanne Rosok  
Registration No. 48,903

SJR:kw

Enclosures:  
Statements (6)  
Declarations (5)  
Consent of Assignee  
Statement Under 37 CFR 3.73(b)

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
(206) 622-4900  
Fax: (206) 682-6031

526049\_1.DOC



EXPRESS MAIL NO. EV 335611139US

<b>TRANSMITTAL FORM</b>  (To be used for all correspondence after initial filing)	Application Number	09/811,094
	Filing Date	March 14, 2001
	First Named Inventor	Christen M. Anderson
	Date of Allowance	October 5, 2004
	Examiner Name	Holly G. Schnizer
	Attorney Docket No.	660088.420D4

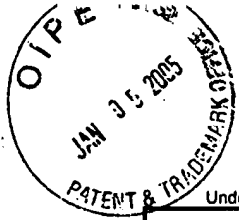
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Correct Inventorship <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declarations (5) <input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <u>PTOL-85 (+ copy); Initial ADS;</u> <u>Statements of Inventors (6);</u> <u>Consent of Assignee to Correct</u> <u>Inventorship</u>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Seed Intellectual Property Law Group PLLC	Customer Number <b>00500</b>	
Signature	<i>Mae Joanne Rosok</i>		
Printed Name	Mae Joanne Rosok		
Date	January 5, 2005	Reg. No.	48,903

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature	**via Express Mail**	
Typed or printed name		Date:

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EXPRESS MAIL NO. EV 335611139US

PTO/SB/171 (11-04)

Approved for use through 7/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PROCESSING FEE**  
**Under 37 CFR 1.17(i)**  
**TRANSMITTAL**  
(Fees are subject to annual revision)Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/811,094
Filing Date	March 14, 2001
First Named Inventor	Christen M. Anderson
Date of Allowance	October 5, 2004
Examiner Name	Holly G. Schnizer
Attorney Docket Number	660088.420D4

**Enclosed is a paper filed under 37 CFR 1.48(a) that requires a processing fee (37 CFR 1.17(i)).**  
**Payment of \$130 is enclosed.**

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g), or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 19-1090:  
☐ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments.  
Enclose a duplicate copy of this form for fee processing.
- ☒ Check including the amount of \$130 is enclosed.
- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,**  
**Except for § 1.221 papers (Fee Code 1803)**

For papers filed under

- § 1.28(c)(3) – for processing a non-itemized fee deficiency based on an error in small entity status.  
§ 1.41 – for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.  
§ 1.48 – for correcting inventorship, except in provisional applications.  
§ 1.52(d) – for processing a nonprovisional application filed with a specification in a language other than English.  
§ 1.53(b)(3) – to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).  
§ 1.55 – for entry of late priority papers.  
§ 1.99(e) – for processing a belated submission under § 1.99.  
§ 1.103(b) – for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).  
§ 1.103(c) – for requesting limited suspension of action, request for continued examination (§ 1.114).  
§ 1.103(d) – for requesting deferred examination of an application.  
§ 1.217 – for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.  
§ 1.221 – for requesting voluntary publication or republication of an application. **Fee Code 1803**  
§ 1.291(c)(5) – for processing a second or subsequent protest by the same real party in interest.  
§ 1.497(d) – for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.  
§ 3.81 – for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Signature

**Mae Joanne Rosok**

Typed or printed name

**January 5, 2005**

Date

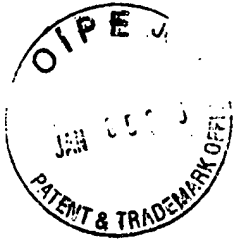
**48,903**

Registration No.

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
Application No. : 09/811,094  
Filed : March 14, 2001  
For : *PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),  
NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR*

Examiner : Holly G. Schnizer  
Art Unit : 1653  
Docket No. : 660088.420D4

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT OF AMY K. CARROLL UNDER 37 C.F.R. § 1.48

I, Amy K. Carroll, hereby declare as follows:

1. I, Amy K. Carroll, am a joint inventor of the above-identified patent application.
2. The inventorship error, which mistakenly omitted me as a joint inventor in the above-identified patent application, occurred without deceptive intent on my part.
3. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 17<sup>th</sup> day of November, 2004.

Amy K. Carroll  
Amy K. Carroll

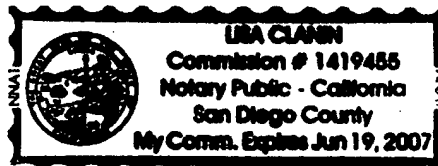
County of San Diego            )  
  ) ss.  
State of California            )

I certify that I know or have satisfactory evidence that Amy K. Carroll is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated November 17, 2004  
Signature of [Signature]  
Notary Public [Signature]  
Printed Name Lisa Clavin

(660088.420D4)

#526,322



PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
Application No. : 09/811,094  
Filed : March 14, 2001  
For : *PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),  
NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR*

Examiner : Holly G. Schnizer  
Art Unit : 1653  
Docket No. : 660088.420D4

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT OF SCOTT W. MILLER UNDER 37 C.F.R. § 1.48

I, Scott W. Miller, hereby declare as follows:

1. The inventorship error, which mistakenly added me as a joint inventor in the above-identified patent application, occurred without deceptive intent on my part.
2. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

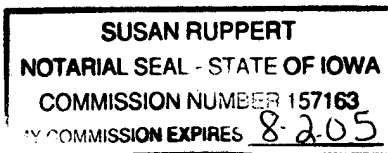
United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 23 day of December, 2004.

  
\_\_\_\_\_  
Scott W. Miller

County of Polk Alto )  
State of Iowa ) ss.

I certify that I know or have satisfactory evidence that Scott W. Miller is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 12.23-04  
Signature of Notary Public Susan Ruppert  
Printed Name Susan Ruppert

SJR:kw

#526,346



PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
Application No. : 09/811,094  
Filed : March 14, 2001  
For : *PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),  
NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR*

Examiner : Holly G. Schnizer  
Art Unit : 1653  
Docket No. : 660088.420D4

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT OF TOMAS R. SZABO UNDER 37 C.F.R. § 1.48

I, Tomas R. Szabo, hereby declare as follows:

1. The inventorship error, which mistakenly added me as a joint inventor in the above-identified patent application, occurred without deceptive intent on my part.
2. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 16th day of December, 2004.



\_\_\_\_\_  
Tomas R. Szabo

County of San Diego       )  
  ) ss.  
State of California       )

I certify that I know or have satisfactory evidence that Tomas R. Szabo is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be he free and voluntary act for the uses and purposes mentioned in the instrument.

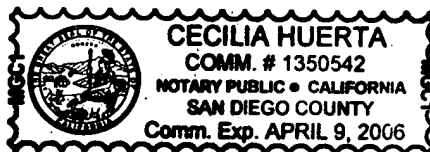
Dated 12-16-04

Signature of Notary Public 

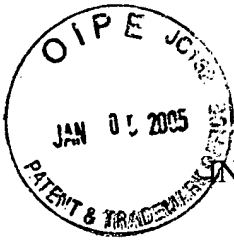
Printed Name Cecilia Huerta

SJR:kw

#526,354



PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
Application No. : 09/811,094  
Filed : March 14, 2001  
For : *PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),  
NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR*

Examiner : Holly G. Schnizer  
Art Unit : 1653  
Docket No. : 660088.420D4

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

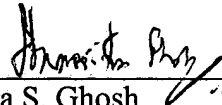
STATEMENT OF SOUMITRA S. GHOSH UNDER 37 C.F.R. § 1.48

I, Soumitra S. Ghosh, hereby declare as follows:

1. The inventorship error, which mistakenly added me as a joint inventor in the above-identified patent application, occurred without deceptive intent on my part.
2. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

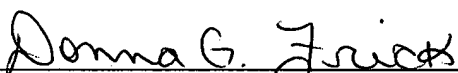
Dated this 3<sup>rd</sup> day of November, 2004.

  
Soumitra S. Ghosh

County of San Diego       )  
  ) ss.  
State of California       )

I certify that I know or have satisfactory evidence that Soumitra S. Ghosh is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be he free and voluntary act for the uses and purposes mentioned in the instrument.

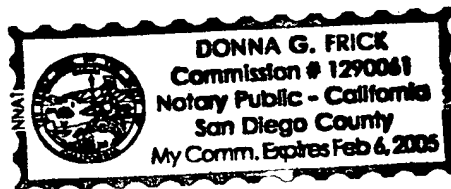
Dated 11-3-04

Signature of Notary Public 

Printed Name Donna G. Frick

SJR:kw

#526,356



PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
Application No. : 09/811,094  
Filed : March 14, 2001  
For : *PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),  
NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR*

Examiner : Holly G. Schnizer  
Art Unit : 1653  
Docket No. : 660088.420D4

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

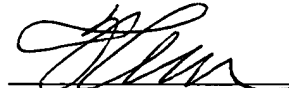
STATEMENT OF WALTER H. MOOS UNDER 37 C.F.R. § 1.48

I, Walter H. Moos, hereby declare as follows:

1. The inventorship error, which mistakenly added me as a joint inventor in the above-identified patent application, occurred without deceptive intent on my part.
2. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 1 day of NOVEMBER, 2004.

  
Walter H. Moos

County of Alameda            )  
  ) ss.  
State of California         )

I certify that I ~~know~~ or have satisfactory evidence that Walter H. Moos is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be he free and voluntary act for the uses and purposes mentioned in the instrument.

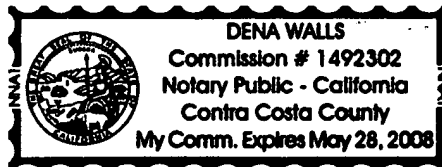
Dated 11-1-04

Signature of  
Notary Public Dena Walls

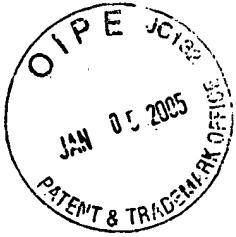
Printed Name Dena Walls

SJR:kw

#526,360\_2



PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
Application No. : 09/811,094  
Filed : March 14, 2001  
For : *PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),  
NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR*

Examiner : Holly G. Schnizer  
Art Unit : 1653  
Docket No. : 660088.420D4

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


STATEMENT OF YAZHONG PEI UNDER 37 C.F.R. § 1.48

I, Yazhong Pei, hereby declare as follows:

1. The inventorship error, which mistakenly added me as a joint inventor in the above-identified patent application, occurred without deceptive intent on my part.
2. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 1<sup>st</sup> day of November, 2004.

  
Yazhong Pei

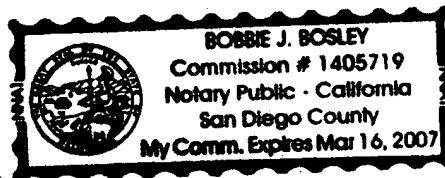
County of San Diego           )  
  ) ss.  
State of California           )

I certify that I know or have satisfactory evidence that Yazhong Pei is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be he free and voluntary act for the uses and purposes mentioned in the instrument.

Dated Nov 1 2004  
Signature of Notary Public Bobbie J. Bosley  
Printed Name Bobbie J. Bosley

SJR:kw

#526,360







COPY

Approved for release through 10/31/2002. OMB 0651-0032. U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

<b>Title of Invention</b>	<b>PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR</b>
---------------------------	---

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/811,094, filed on March 14, 2001,  
☒ as amended on December 4, 2003 and June 28, 2004 (if applicable);

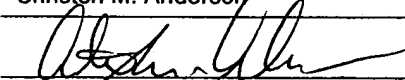
I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one:	<u>Christen M. Anderson</u>	Citizen of:	<u>US</u>
Signature:		Date:	<u>Nov. 4, 2004</u>

Inventor two:	<u>Robert E. Davis</u>	Citizen of:	<u>US</u>
Signature:	_____	Date:	_____

Inventor three:	<u>William Clevenger</u>	Citizen of:	<u>US</u>
Signature:	_____	Date:	_____

Inventor four:	<u>Sandra Eileen Wiley</u>	Citizen of:	<u>US</u>
Signature:	_____	Date:	_____

☒ Additional inventors are being named on 1 additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**

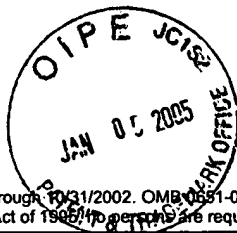
Page 2 of 2

**FULL NAME OF INVENTOR(S)**

Inventor five	<u>Amy K. Carroll</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>
Inventor six	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>
Inventor seven	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>
Inventor eight	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>

☐ Additional inventors or a legal representative are being named on \_\_\_\_ additional form(s) attached hereto.

COPY



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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

**Title of Invention**

PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR  
(ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/811,094, filed on March 14, 2001,  
☒ as amended on December 4, 2003 and June 28, 2004 (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: Christen M. Anderson

Citizen of: US

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Inventor two: Robert E. Davis

Citizen of: US

Signature: Robert E. Davis

Date: 11/04/04

Inventor three: William Clevenger

Citizen of: US

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Inventor four: Sandra Eileen Wiley

Citizen of: US

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

☒ Additional inventors are being named on 1 additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**Page 2 of 2

## FULL NAME OF INVENTOR(S)

Inventor five Amy K. Carroll Citizen of: US

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor six \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

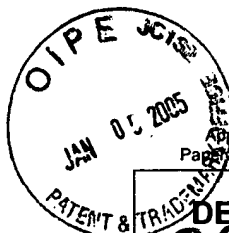
Inventor seven \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor eight \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.



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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

<b>Title of Invention</b>	PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR
---------------------------	---

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/811,094, filed on March 14, 2001,  
☒ as amended on December 4, 2003 and June 28, 2004 (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

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All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one: Christen M. Anderson Citizen of: US

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor two: Robert E. Davis Citizen of: US

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor three: William Clevenger Citizen of: US

Signature: *William Clevenger* Date: 11/13/04

Inventor four: Sandra Eileen Wiley Citizen of: US

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

☒ Additional inventors are being named on 1 additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**Page 2 of 2

## FULL NAME OF INVENTOR(S)

Inventor five Amy K. Carroll Citizen of: US

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor six \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

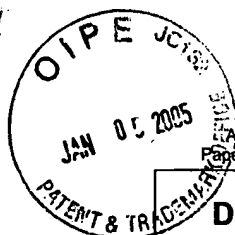
Inventor seven \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor eight \_\_\_\_\_ Citizen of: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.



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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

**Title of Invention:** **COPY** PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR  
(ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/811,094, filed on March 14, 2001,  
☒ as amended on December 4, 2003 and June 28, 2004 (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one:	<u>Christen M. Anderson</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>
Inventor two:	<u>Robert E. Davis</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>
Inventor three:	<u>William Clevenger</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>
Inventor four:	<u>Sandra Eileen Wiley</u>	Citizen of:	<u>US</u>
Signature:	<u>Sandra Eileen Wiley</u>	Date:	<u>Nov 4, 2004</u>

☒ Additional inventors are being named on 1 additional form(s) attached hereto.

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
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Supplemental Sheet**

Page 2 of 2

## FULL NAME OF INVENTOR(S)

Inventor five	<u>Amy K. Carroll</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>
Inventor six	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>
Inventor seven	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>
Inventor eight	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.



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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

**Title of Invention**

PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR  
(ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR

**COPY**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/811,094, filed on March 14, 2001,  
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### FULL NAME OF INVENTOR(S)

Inventor one:	<u>Christen M. Anderson</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>
Inventor two:	<u>Robert E. Davis</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>
Inventor three:	<u>William Clevenger</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>
Inventor four:	<u>Sandra Eileen Wiley</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u></u>

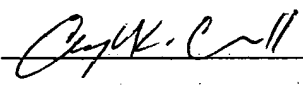
☒ Additional inventors are being named on 1 additional form(s) attached hereto.

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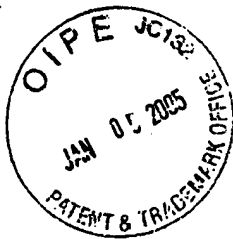
**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**

Page 2 of 2

## FULL NAME OF INVENTOR(S)

Inventor five	<u>Amy K. Carroll</u>	Citizen of:	<u>US</u>
Signature:	<u></u>	Date:	<u>1 Nov 2004</u>
Inventor six	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>
Inventor seven	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>
Inventor eight	<u></u>	Citizen of:	<u></u>
Signature:	<u></u>	Date:	<u></u>

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.



EXPRESS MAIL NO. EV 335611139US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
 Application No. : 09/811,094  
 Filed : March 14, 2001  
 Date of Allowance : October 5, 2004  
 For : *PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT),  
 NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR*

Examiner : Holly G. Schnizer

Art Unit : 1653

Docket No. : 660088.420D4

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 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

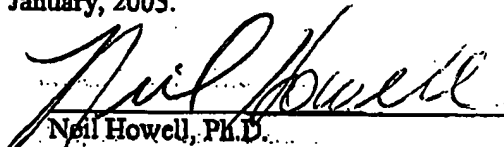
CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

The undersigned hereby declares that MIGENIX Corp. is the assignee of the above-identified application, as evidenced by the Recordation of Change of Name recorded on October 28, 2004, at Reel Number 015306, Frame Number 0285, and the Assignment recorded on December 30, 2004, at Reel Number 015515 and Frame Number 0092. The undersigned further declares that the subject Assignments have been reviewed and that, to the best of the Assignee's knowledge and belief, full right, title and interest in the above-identified application is in MIGENIX Corp.

MIGENIX Corp. hereby consents to the correction of inventorship of the above-identified application to add Amy K. Carroll as an inventor for the above-identified application, and to delete as inventors Scott W. Miller, Tomas R. Szabo, Soumitra S. Ghosh, Walter H. Moos and Yazhong Pei, as requested in the Petition to Correct Inventorship under 37 C.F.R. § 1.48(a) filed herewith.

The undersigned (whose title is supplied below) is authorized to act on behalf of the Assignee.

DATED this 05 day of January, 2005.

  
 Neil Howell, Ph.D.  
 Vice President Research  
 MIGENIX Corp.

SJR:kw

#526213

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PTO/SB/96 (09-04)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Christen M. Anderson et al.Application No./Patent No.: 09/811,094 Filed/Issue Date: March 14, 2001Entitled: PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT), NOVEL  
ANT LIGANDS AND SCREENING ASSAYS THEREFORMIGENIX Corp.

(Name of Assignee)

a

corporation(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

In the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the  
current assignee as shown below:

1. From: Christen M. Anderson et al. To: MitoKor

The document was recorded in the United States Patent and Trademark Office at  
Reel 010665, Frame 0735, or for which a copy thereof is attached.

2. From: MitoKor, Inc. To: MIGENIX Corp.

The document was recorded in the United States Patent and Trademark Office at  
Reel 016306, Frame 0285, or for which a copy thereof is attached.

3. From: Amy K. Carroll To: MIGENIX Corp.

The document was recorded in the United States Patent and Trademark Office at  
Reel 015515, Frame 0092, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title noted in B above are  
attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment  
Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See  
MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Neil Howell  
Signature

05 JANUARY 2005  
Date

Neil Howell, Ph.D.

Typed or printed name

Vice President Research

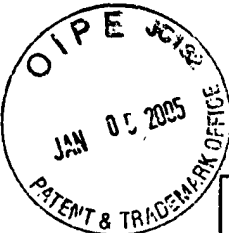
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22315-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22315-1480.

Docket No. 680088.42004

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Express Mail No.: EV 335611139US

**APPLICATION DATA SHEET**

**Application Information**

Application number::	09/811,094
Filing Date::	03/14/01
Application Type::	Regular
Subject Matter::	Utility
Suggested classification::	
Suggested Group Art Unit::	
CD-ROM or CD-R?::	None
Number of CD disks::	
Number of copies of CDs::	
Sequence submission?::	
Computer Readable Form (CRF)?::	No
Number of copies of CRF::	
Title ::	<b>PRODUCTION OF ADENINE NUCLEOTIDE TRANSLOCATOR (ANT), NOVEL ANT LIGANDS AND SCREENING ASSAYS THEREFOR</b>
Attorney Docket Number::	660088.420D4
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	
Total Drawing Sheets::	14
Small Entity?::	No
Petition included?::	No
Petition Type::	
Licensed U.S. Gov't Agency::	
Contract or Grant No::	
Secrecy Order in Parent Appl.?::	No

**First Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Christen  
Middle Name:: M  
Family Name:: Anderson  
Name Suffix::  
City of Residence:: Encinitas  
State or Province of Residence:: CA  
Country of Residence:: US  
Street of mailing address:: 756 Poinsettia Park South  
City of mailing address:: Encinitas  
State or Province of mailing address:: CA  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 92024

**Second Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Robert  
Middle Name:: E  
Family Name:: Davis  
Name Suffix::  
City of Residence:: San Diego  
State or Province of Residence:: CA  
Country of Residence:: US  
Street of mailing address:: 13272 Glenclyff Way

City of mailing address:: San Diego  
State or Province of mailing address:: CA  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 92130

**Third Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: William  
Middle Name::  
Family Name:: Clevenger  
Name Suffix::  
City of Residence:: Oceanside  
State or Province of Residence:: CA  
Country of Residence:: US  
Street of mailing address:: 3544 Windsor Road  
City of mailing address:: Oceanside  
State or Province of mailing address:: CA  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 92056

**Fourth Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Sandra  
Middle Name:: Eileen  
Family Name:: Wiley

Name Suffix::  
City of Residence:: San Diego  
State or Province of Residence:: CA  
Country of Residence:: US  
Street of mailing address:: 3195 Galloway Drive  
City of mailing address:: San Diego  
State or Province of mailing address:: CA  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 92122

**Fifth Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Amy  
Middle Name:: K  
Family Name:: Carroll  
Name Suffix::  
City of Residence:: San Diego  
State or Province of Residence:: CA  
Country of Residence:: US  
Street of mailing address:: 2859 Grandview Street  
City of mailing address:: San Diego  
State or Province of mailing address:: CA  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 92121



**Correspondence Information**Correspondence Customer Number :: **00500****Representative Information**

Representative Customer Number::		<b>00500</b>
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**Domestic Priority Information**

Application ::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	Division of	09/393,441	09/08/99
09/393,441	Continuation-in-part of	09/185,904	11/03/98

**Foreign Priority Information**

Country::	Application number::	Filing Date::	Priority Claimed::

**Assignee Information**

Assignee name::	MIGENIX Corp.
Street of mailing address::	12780 High Bluff Drive, Suite 210
City of mailing address::	San Diego
State or Province of mailing address::	CA
Country of mailing address::	US
Postal or Zip Code of mailing address::	92130

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